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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,138	11/28/2001	Yung-Chih Lin	B-4402 619348-7	3415

36716	7590	09/21/2005

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EXAMINER
CHOUDHURY, AZIZUL Q

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *15 June 2005*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-19* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *28 November 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All b) ☐ Some * c) ☐ None of:

       1. ☒ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detailed Action

This office action is in response to the correspondence received on June 15, 2005.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-19 rejected under 35 U.S.C. 102(b) as being anticipated by David

Pogue °PalmPilot: The Ultimate Guide" (see attached Notice of References

Cited).

1. As to Claim 1: A database (see page 434, paragraph 4, lines 2-3; page 440,

paragraphs 3 and 4); a pre-process agent for receiving a query signal to query identity

information for the last message in the database (see page 437, paragraph 4), and

outputting the identity information, wherein the identity information of the last message

is used to identify new messages on an incoming message server that are received

after the last message, receiving an internally formatted message and storing the

internally formatted message to the database (see page 434, paragraph 4, and page

440, paragraphs 3 and 4), and fetching the internally formatted message from the

database and sending the internally formatted message to the PDA through a network

when receiving a message receiving signal from the PDA (see page 434, paragraphs 3

and 4 as well as paragraph 6, lines 1 and 2); a mail agent for outputting the query

signal, receiving the identity information and checking the incoming message server

according to the identity information, and receiving a new message received after the

last message from the incoming message server and forwarding the new message (see

page 434, paragraphs 3 and 4); and a content converter agent for receiving the new

message forwarded from the mail agent, transforming the new message into the

internally formatted message, and outputting the internally formatted message (see

page 435, paragraph 4).

2. As to Claim 2: A schedule agent for setting a schedule and outputting a startup signal

when the schedule is implemented (see page 434, paragraph 7).

3. As to Claim 3: Wherein the mail agent further receives the startup signal and outputs

the query signal based thereon (see page 434, paragraph 6, lines 1-2).

4. As to Claim 4: Wherein the schedule can be set by a computer couple with the

schedule agent through the Internet (see page 168, paragraph 5).

5. As to Claim 5: Wherein the schedule can be set by the PDA coupled with the

schedule agent through a wireless network (see page 434, paragraph 7).

6. As to Claim 6: Wherein the mail agent outputs the query signal after a predetermined time interval (see page 434, paragraph 7).

7. As to Claim 7: Wherein the predetermined time interval can be set by a computer through the Internet (see page 168, paragraph 5).

8. As to Claim 8: Wherein the predetermined time interval can be set by the PDA though a wireless network (see page 434, paragraph 7).

9. As to Claim 9: Wherein the internally formatted message has a format recognized by the PDA (see page 434, paragraph 5 and page 436, paragraph 4).

10. As to Claim 10: An outgoing message server coupled with the mail agent (see page 440, paragraphs 1 and 2).

11. As to Claim 11: . Wherein the PDA sends a new edited message to the mail agent (see page 434, paragraph 4) through a wireless network (see page 431, paragraph 2, line 2) and then the mail agent sends the new edited message to the outgoing message server (see page 434, paragraph 4).

12. As to Claim 12: An outgoing message server (see page 434, paragraph 4; and page 440, paragraphs 1 and 2); An incoming message server (see page 434, paragraph

4; and page 440, paragraphs 3 and 4) ; and A virtual server, comprising: A database (a database of email data is implied on page 440, paragraph 4); A pre-process agent to receive a query signal querying identity information for the last message in the database and output the identity information (see page 437, paragraph 4), wherein the identity information of the last message is used to identify new messages on the incoming message server that are received after the last message, receive an internally formatted message and store the internally formatted message to the database (see page 440, paragraph 4), fetch the internally formatted message from the database and output the internally formatted message when receiving a message receiving signal (see page 434, paragraph 4); A mail agent for outputting the query signal after a predetermined time interval (see page 434 paragraph 7), receiving the identity information and checking and receiving at least one new message in the incoming message server according to the forwarding the new message, and receiving and sending the new edited message server (see page 434, paragraphs 3 and 4); A content converter agent for receiving the new message forwarded from the mail agent, transforming the new message into the internally formatted message, and outputting the internally formatted message (see page 434, paragraph 5); and a PDA coupled to the virtual server through a wireless network to output the message receiving signal, receive the internally formatted message, and send the new edited message (see page 431, paragraph 2).

13. As to Claim 13: Wherein the virtual server further comprises a schedule agent for setting a schedule (see page 434, paragraph 7), and outputting a startup signal when the schedule is implemented (see page 434, paragraph 6, line 3).

14. As to Claim 14: Wherein the mail agent further receives the startup signal and outputs the query signal based thereon (see page 434, paragraph 6, line 3 and paragraph 2, lines 1-2 and paragraph 3, line 1).

15. As to Claim 15: Wherein the schedule can be set by a computer coupled with the schedule agent though the Internet (see page 168, paragraph 5).

16. As to Claim 16: Wherein the schedule can be set by the PDA coupled with the schedule agent through a wireless network (see page 434, paragraph 7).

17. As to Claim 17: Wherein the predetermined time interval can be set by a computer through the Internet (see page 168, paragraph 5).

18. As to Claim 18: Wherein the predetermined time interval can be set by the PDA through a wireless network (see page 434, paragraph 7).

19. As to Claim 19: Wherein the internally formatted message has a format recognized by the PDA (see page 434, paragraph 5 and page 436, paragraph 2).

Response to Remarks

The amendment received on June 15, 2005 has been carefully examined but it is not deemed fully persuasive. In response to the amendment, the 101 rejection has been retracted however, the 102 rejection continues to stand. The amendments and remarks focus on the independent claims and their trait of "identity information for the last message." The remarks express how this "identity information" allows for the detection and downloading of new messages. The examiner has reviewed the applicant's explanation and also reviewed the prior art and has determined that it is inherent that such an identity information must be present within the prior art's design. The prior art discloses within paragraph 4 of p. 437, that ten messages are received and if more new messages are left to be downloaded, a notice is provided and the user must select to receive up to ten more until all the new messages have been received. The very fact that the prior art design states that the user is notified that new messages continue to exist for receipt by the PDA makes it clear that an id for the last message exists within the prior art design. If such an id system were not existent, it would not be possible for the prior art design to discriminate between new and old messages.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Azizul Choudhury whose telephone number is (571)

272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free)..

AC

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER